IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3409 OF 2006

Shivaji Laxman Jagtap .. Petitioner.
Vs.
Anil Subhash Bedkyale & Ors. .. Respondents.

Mr.V.B.Rajure for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 18TH SEPTEMBER, 2006

P.C.:

. Heard learned counsel for the petitioner.

2. This petition is directed against the concurrent findings recorded by the courts below on the application at Exhibit-5. The trial Court has allowed the application vide order dated 17.12.2005 by which the petitioners-defendants were temporarily restrained from obstructing and disturbing the plaintiff from using common road on the northern boundary of the suit land. The appeal court after going through the order of the trial Court and material placed on record has affirmed the finding recorded by the trial Court. There is no dispute that except the road in dispute there is no access to the common well. Considering that there are concurrent findings recorded by the courts below and considering

the extremely limited jurisdiction of this Court under Article 227 of the Constitution of India to disturb the finding of fact this writ petition cannot be entertained and hence it is dismissed as such.

(D.B.Bhosale, J.)